

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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DOUGLAS SCHOTTENSTEIN, MD
AND SCHOTTENSTEIN PAIN AND
NEURO, PLLC D/B/A NY SPINE

Plaintiffs,

v.

UNITED STATES FOOD AND DRUG
ADMINISTRATION, ROBERT M. CALIFF,
M.D., ACTING COMMISSIONER OF
THE UNITED STATES FOOD
AND DRUG ADMINISTRATION
IN HIS OFFICIAL CAPACITY ONLY,

Nominal
Defendants


EDWARD L. CAPLA; YOLANDA CAPLA;
ORTHOGEN INTERNATIONAL GMBH;
PROF. DR. PETER WEHLING; NINA
BREIDENBACH; PETER NIEDERAU;
AND "JOHN DOE, JANE DOE & ABC
CORP. 1-10",

Defendants
-----X

NOTICE OF DISMISSAL
pursuant to Fed. R. Civ. P.
41(a)(1)(A)(i)

Docket No. 22 -cv-10883 (PKC)

GRANTED. SO ORDERED.
DATED: 11/03/2023


P. Kevin Castel
United States District Judge

PLEASE TAKE NOTICE that Plaintiffs' claims against only the Nominal Defendants in this action, the United States Food and Drug Administration, and, Robert M. Califf, M.D., Acting Commissioner of the United States Food and Drug Administration in his official capacity only, are hereby dismissed without prejudice, pursuant to Fed. R. Civ. P. 41(a)(1)(A)(i). All other claims against all of the remaining defendants shall continue and are not otherwise affected by this Notice.

DATED AT Huntington Station, NY
November 2, 2023

/s/ Richard Bruce Rosenthal

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